

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS

BOX FWC

Washington, D.C. 20231

Attorney's Docket Number: 04012.0188

Prior Application:

Art Unit: 1813

Examiner: L.F. Smith

SIR: This is a request for filing a

[ X ] Continuation [ ] Continuation-in-part [ ] Divisional application under 37 C.F.R. § 1.62 of pending prior application Serial No. 08/442,288 filed May 16, 1995 for VACCINE COMPOSITION CONTAINING ADJUVANTS  
(Title of Invention)

by the following named inventor(s).

Full Name of	Family Name	First Given Name	Second Given Name
<u>Inventor</u>	<u>Prieels</u>	<u>Jean</u>	<u>Paul</u>
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Full Name of	Family Name	First Given Name	Second Given Name
<u>Inventor</u>	<u>Garcon-Johnson</u>	<u>Nathalie Marie-Josephe</u>	<u>Claude</u>
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Full Name of	: Family Name	First Given Name	Second Given Name
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The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1. ☐ Enter the amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 but unentered, in the prior application.
2. ☒ A Preliminary Amendment is enclosed.
3. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

For	: <u>Number Filed</u>	: <u>Number Extra</u>	: <u>Rate</u>	: <u>Basic Fee \$770.00</u>
Total	:	:	:	:
Claims	: <u>14 -20=</u>	: <u>0</u>	: <u>x\$ 22.00=</u>	: <u>\$</u>
Independent	:	:	:	:
Claims	: <u>2 -3=</u>	: <u>0</u>	: <u>x\$ 80.00=</u>	:
Multiple Dependent Claim(s) (if applicable)	:	:	: <u>+\$260.00=</u>	:
			<u>Total =</u>	<u>\$770.00</u>
			<u>Reduction by ½ for</u>	:
			<u>filing by small entity</u>	<u>-</u>
			<u>TOTAL FILING FEE =</u>	<u>\$770.00</u>

4. ☒ A check in the amount of \$ 770.00 to cover the filing fee is enclosed.
5. ☒ The Commissioner is hereby authorized to charge any fees including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 06-0916.
6. ☐ A new declaration is included since this application is a continuation-in-part which discloses and claims additional matter.

7. [XX] Amend the specification by inserting before the first line, the sentence:

--This application is a continuation of application Serial No. 08/442,288, filed May 16, 1995, now abandoned, which is a continuation of application Serial No. 08/356,372, filed February 17, 1995, which is the national phase entry of PCT/EP93/01524 filed June 15, 1993 claiming priority of UK9213559.9 filed June 25, 1992, UK9226283.1 filed December 17, 1992 and UK9304056.6 filed March 1, 1993.--

8. [ ] A verified statement claiming small entity status

[ ] is enclosed or [ ] is on file in the prior application.

9. [XX] Priority of application Serial No. 9213559.9 filed on June 25, 1992 in United Kingdom, application Serial No. 9226283 filed June 15, 1993 filed on December 17, 1992 in the United Kingdom, and application Serial No. 9304056.6 filed March 1, 1993 in the United Kingdom are claimed under 35 U.S.C. § 119. Certified copies

[ ] is enclosed or [X] are on file in the prior application.

10. [XX] The prior application is assigned of record to: SmithKline Beecham Biologicals (s.a.)

11. [XX] The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Reg. No. 22,540; Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilly, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg.

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12. [XX] Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315.

13. [ ] Recognize as associate attorney \_\_\_\_\_

(name, address & Reg. No.)

14. [ ] Also enclosed is \_\_\_\_\_

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 08/442,288, filed May 16, 1995, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. § 1.62 application, be it either this application or a prior application in the same file wrapper, the U.S. Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

Richard B. Racine  
Reg. No. 30,415

Date: August 12, 1997